

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JORDAN HEATH,	)	
Plaintiff,	)	
	)	C.A. No. 13-282 Erie
v.	)	
	)	
C/O GEORGE EDWARD WHIPPLE,	)	
Defendant.	)	

**MEMORANDUM ORDER**

This prisoner civil rights action was received by the Clerk of Court on September 9, 2013, and was referred to a United States Magistrate Judge for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges. The magistrate judge's report and recommendation, issued on July 28, 2014, recommended that defendant's motion to dismiss [30] be granted and that this case be dismissed. Service was made on plaintiff Jordan Heath ("Plaintiff") by mail at SCI Camp Hill, where he is incarcerated, and on defendant. No objections were filed. After de novo review of the petition and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 22<sup>nd</sup> day of August, 2014;

IT IS HEREBY ORDERED that defendant's motion to dismiss [30] is

GRANTED and that this case is DISMISSED. The report and recommendation of Magistrate Judge Baxter, issued July 28, 2014, is adopted as the opinion of the court. The clerk shall mark this case closed.

/s/ Joy Flowers Conti  
JOY FLOWERS CONTI  
United States District Judge

cc: Susan Paradise Baxter  
U.S. Magistrate Judge  
all parties of record \_\_\_\_\_